



STATE OF WASHINGTON
Office of the Governor

September 11, 2019

John Wiesman, DrPH, MPH
Secretary
Washington State Department of Health
101 Israel Road SE
Tumwater, WA 98504

Dear Secretary Wiesman:

The integration of our behavioral health systems has been a tremendous undertaking this past year by the Department of Health (DOH), Health Care Authority (HCA), Department of Social and Health Services (DSHS), as well as numerous other agencies, local partners, providers, and stakeholders. The shift from large mental institutions to smaller, community-based facilities is central to this transformation. It requires us to build up an entire new system of public and private facilities throughout the state.

I have been reading the Seattle Times series, *"Public Crisis, Private Toll,"* with great concern. It is clear to me that our existing regulatory structures are inadequate for ensuring that new, privately-run facilities are meeting the levels of transparency, safety and quality that patients and their families deserve, and that state government has every right to expect. While DOH has provided sound oversight of medical hospitals for many years, the agency needs additional tools for the increasing number of behavioral health facilities that, by their nature, operate very differently from a medical facility and serve a very different population of patients.

I know your staff has been talking with my office about several potential improvements and reforms that could strengthen DOH's enforcement capabilities, improve reporting requirements and transparency, and strengthen the Certificate of Need (CON) application process. Our ultimate goal is to make sure that every patient in need of mental health services is able to find a quality provider whose top priority is the patient's health, safety, and recovery.

As your team considers what more DOH can do and what we may take forward to legislators, there are two items I hope you can move quickly on:

- Strengthening the CON application process to ensure a more thorough review of an applicant's previous record and history, especially if they have been with out-of-state facilities.



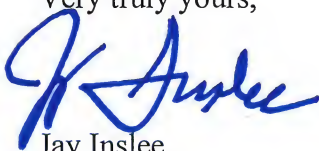
- Speeding up the process for posting inspection reports so they are easily accessible to the public.

I would also be interested to hear if there are additional reporting requirements that would benefit patients and their families as well as providers. I know you and your staff are looking at what additional enforcement measures would allow your agency to bring facilities into compliance more quickly. I look forward to hearing your recommendation on those issues.

There is also a bigger question about how to ensure private, for-profit providers, such as Acadia Healthcare and US HealthVest, are not prioritizing profit over patient and staff well-being. As we continue building up our network of community-based providers, we should evaluate whether our current proposed mix of public and private facilities is correct and consider whether we should update or modify the way we consider the roles of a for-profit versus a non-profit entity. I look forward to discussing this in further detail with you, DSHS Secretary Strange, and HCA Director Birch in the near future.

I know that some of these policy conversations predate the news stories, and I appreciate that you and your team have been taking this transformation effort so seriously. The Legislature has supported our efforts to build new facilities, expand workforce-training opportunities, increase staffing at state facilities, and more, on a bipartisan basis. Like us, legislators understand the urgency of expanding access to behavioral health care. However, I am deeply troubled at the prospect of corporations exploiting gaps in our oversight systems to profit from vulnerable Washingtonians and hard-working hospital staff. Anyone who has experience in our mental health system – either as a patient or as an involved loved one – should likewise be troubled. We have a responsibility to hold all our providers, public and private, accountable. I look forward to our further discussion.

Very truly yours,



Jay Inslee
Governor